

**REGULAR MONTHLY MEETING OF THE STEPHENS CITY TOWN COUNCIL  
TUESDAY, February 4, 2010  
7:30 p.m.**

Mayor Ray Ewing called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.

Council member Fravel gave the invocation.

Roll call showed the following present:

Vice Mayor Joy Shull, Council member Linden A. Fravel, Jr., Council member Michael Grim, Council member James Harter, Council member Joseph Hollis.

Absent: Council member Ronald Bowers

Staff present: Mike Kehoe, Town Manager; Brian Henshaw, Town Planner; David Griffin, Town Attorney; Charles Bockey, Chief of Police; Office Christopher Smedley, Stephens City Police Department; Kim Uttenweiler, Town Treasurer; Dianne MacMillan, Town Clerk; Tim Stowe, Town Engineer

Press: Rebecca Layne, Winchester Star

**AGENDA**

Council member Fravel moved that the Agenda be adopted as presented and the motion passed.

**PUBLIC COMMENTS**

The Mayor opened the floor for public comment. There being none, the public comment period was closed.

**PUBLIC HEARING**

**MINUTES – January 5, 2009 Regular Meeting**

Council member Grim moved for approval of the minutes of January 5, 2009 as presented and the motion carried with the following vote:

Recorded Vote:

Vice Mayor Shull	-	Aye	Nays - None
Council member Grim	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	
Abstain – Council member Fravel			
Absent – Council member Bowers			

**TREASURERS REPORT – Kim Uttenweiler**

The Mayor asked for questions or comments regarding the treasurer's report. Council member Fravel asked about the second page showing "doubtful accounts". Town Treasurer Kim Uttenweiler explained that these were tax bills that she believed could never be collected. Council member Hollis asked if tax collections were going well and she said quite well. He noted that the cash balance was up. Ms. Uttenweiler said the next project would be looking at Town decals. The Treasurer's report was accepted as presented.

**POLICE REPORT – Charles Bockey, Chief**

Chief Bockey reported that the breakdown of calls compared 2008 to 2009 and Council could see that calls doubled without counting calls taken by Frederick County. He added that the Police Department had been busy and with one less officer, Officer Simmers having retired, it would be harder pressed.

Chief Bockey said he had overlooked reporting since back in July 2009 that he received a letter from the American Towmen, a national organization recognizing tow companies throughout the nation asking for nominations. He said he nominated Clem's Garage as they had been there for the police department when needed and provided exceptional service. He said Clem's Garage had been accepted into the organization and Dennis Clem expressed his appreciations for the nomination. He said Mr. Clem had attended a recent meeting and dinner where he was recognized as a new member.

**ACTION AGENDA**

**A. Amendment to Town Code Chapter 22, Article II, Div. 3, Sec 22-111-Water Availability Fees - to be effective July 1, 2010**

Council member moved. Mayor Ewing asked for any discussion. Mr. Kehoe stated that this program was the primary state aid to localities since other programs had already been cut. The motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Shull	-	Aye	Nays - None
Council member Fravel	-	Aye	
Council member Grim	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

Abstain – None

Absent – Council member Bowers

**B. MPO Issues – Route 7 Study; Shady Elm Report – Phase II**

The Mayor asked the Chairman of the Personnel Committee, Council member Harter to present the revisions. Council member Harter advised that the Council had the revisions to review which addressed sexual harassment, what constituted full time and regular employees, and holidays and the Committee recommended approval if all members had reviewed the change.

Council member Harter moved that the Town Council adopt the revisions to the Personnel Policy. Council member Grim asked for clarification of the holidays. He said he understood that the Town would recognize Virginia State holidays only and the listing in the policy was confusing. The listing of holidays would be deleted and it was noted that the holidays would be at the governor's discretion. The motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Shull	-	Aye	Nays - None
Council member Fravel	-	Aye	
Council member Grim	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

Abstain – None

Absent – Council member Bowers

**C. Appointments – Newtown Heritage Festival**

Recorded Vote:

Vice Mayor Shull	-	Aye	Nays - None
Council member Fravel	-	Aye	
Council member Grim	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

Abstain – None

Absent – Council member Bowers

**COMMITTEE REPORTS**

**A. Administrative Committee – Joseph Hollis, Chair**

Council member Hollis had no report from the Administrative Committee.

**B. Finance Committee – Joseph Hollis, Chair**

Council member Hollis reported that the Finance Committee did not meet but had only a housekeeping issue to address. He said the Committee recommended a transfer from some line items in the utility fund to another line item which was only a reallocation of approved budget line items.

Council member Hollis moved to transfer \$155,300.00 meant for sewer repairs from the CIP to I&I repairs for sewer rehabilitation and another line item identified as transfer to reserves in the amount of \$4700.00 to I&I rehabilitation for a total of \$160,000.00 to I&I repairs/rehabilitation. He said these were within the utility fund and would cover the cost of planning and design of the rehabilitation of existing sewer lines. The motion was passed with the following recorded vote:

Recorded Vote:

Vice Mayor Shull	-	Aye	Nays - None
Council member Fravel	-	Aye	
Council member Grim	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

Abstain – None

Absent – Council member Bowers

**C. Water/Sewer Committee – Joy Shull, Chair**

Vice Mayor Shull said her issue was addressed by the finance committee. She reported that the committee had met with the Town Manager, the Town Engineer and the Mayor to discuss what funds were available for the proposed water/sewer projects and the funding was now provided.

**D. Personnel Committee – James Harter, Chair**

Council member Harter reported nothing further for Council to address.

**E. Parks and Recreation Commission – Ronald Bowers, Chair**

No report

**PLANNER'S REPORT – Brian Henshaw**

**TOWN MANAGERS REPORT**

1. Mr. Kehoe reported that the snow operations went well during the eighteen inch snowfall and the Town received no complaints. Vice Mayor Shull asked how long residents have to remove snow from sidewalks and Mr. Kehoe replied that it was six hours after the snow stops or by noon the next day if snowfall ends at night. She said there were some sidewalks that were not cleared. Mr. Kehoe said there were some locations that were not shoveled but that could have been because of the snow being pushed back onto the sidewalks. He said the Town would do a better job in the next snow. Vice Mayor Shull added that the sidewalks in question were not the town's responsibility.

2. He also reported that the Town had not suffered problems with water lines breaking because of the cold weather. He added that it could happen if the cold kept up.
3. Mr. Kehoe reported that the Town was picking up Christmas trees in the next two weeks and hoped to remove the Christmas decorations in the coming week. He said this task was held up by weather and equipment breakdowns.
4. Mr. Kehoe reported that the Town was still awaiting the go ahead from VDOT to place the old school window rehabilitation project out to bid. He stated that this had been delayed for months by VDOT administrators in Staunton. He said VDOT had the request for six months and the town may have to talk to its delegates to move this along. He stated that VDOT should release the project so the town can get a good price to begin the project in the spring.

### **COUNCIL COMMENTS/CALENDAR**

Mayor Ewing said the calendar would stand as scheduled unless the members were advised otherwise.

There being no further business, Council member Grim moved to adjourn at 7:56 p.m. and the motion carried.

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Ray E. Ewing, Mayor Ray Ewing

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Diane L. MacMillan, CMC, Town Clerk